IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5402 OF 2006

Ravindra G. Bhamare ....Petitioner
V/s.
Education Officer (Secondary) & Ors. ....Respondents

Mr.R.S. Apte with Mr.M.R. Bubna for the Petitioner.
Mrs.M.P.Thakur, AGP for Respondent Nos.1, 2 and 5.
Mr.K.Y. Mandlik for Respondent No.4.

CORAM : F.I. REBELLO, &
S.J. VAZIFDAR, JJ.
DATED : 6TH FEBRUARY, 2007.

P.C. :

1. Rule. Heard forthwith.

2. From the affidavit of Mr.Sukhdeo Hari Dere, Assistant Director, Office of the Deputy Director of Education, Nasik, it is clear that the Respondent State worked out a backlog based on 52% reservation and not 34% reservation as contemplated by MEPS Rules. In the light of above, the following order is passed:-

i). Respondent Nos.1 to 3 are directed to work out backlog based on 34% reservation. On computing 34% reservation, the case of the Petitioner be considered for approval from

the academic year 2000-2001 till 30.11.2005 as per the order dated 1.12.2005 the Petitioner has been granted permanent approval. This exercise to be completed within a period of eight weeks from today.

ii). If it is found that there is no backlog and the Petitioner is entitled to be approved, then consequential reliefs be granted to the Petitioner by way of pay, seniority and other benefits.

3. Rule is made absolute accordingly. There has been no order as to costs.

(S.J. VAZIFDAR, J.) (F.I. REBELLO, J.)